Standard 4.2: Rights and Responsibilities of Citizens and Non-Citizens

Describe the rights and responsibilities of citizens as compared to non-citizens. (Massachusetts Curriculum Framework for History and Social Studies) [8.T4.2]

FOCUS QUESTION: What Are the Rights and Responsibilities of United States Citizens and Non-Citizens?

<table>
<thead>
<tr>
<th>Rights</th>
<th>Responsibilities</th>
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<tbody>
<tr>
<td>Freedom to express yourself.</td>
<td>Support and defend the Constitution.</td>
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<td>Freedom to worship as you wish.</td>
<td>Stay informed of the issues affecting your community.</td>
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<td>Right to a prompt, fair trial by jury.</td>
<td>Participate in the democratic process.</td>
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<td>Right to vote in elections for public officials.</td>
<td>Respect and obey federal, state, and local laws.</td>
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<td>Right to apply for federal employment requiring U.S. citizenship.</td>
<td>Respect the rights, beliefs, and opinions of others.</td>
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<tr>
<td>Right to run for elected office.</td>
<td>Participate in your local community.</td>
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<tr>
<td>Freedom to pursue “life, liberty, and the pursuit of happiness.”</td>
<td>Pay income and other taxes honestly, and on time, to federal, state, and local authorities.</td>
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<td></td>
<td>Serve on a jury when called upon.</td>
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<td>Defend the country if the need should arise.</td>
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The Bill of Rights (the Constitution’s first 10 amendments) set forth the rights (protections under the law) of Americans. But those rights come with responsibilities (obligations that citizens are
expected to perform) such as paying taxes, serving on a jury when called, defending the country, and participating in the democratic process. Exercising one’s rights and fulfilling one’s responsibilities are the features of **active and engaged citizenship** in this country.

**Non-citizens** also have rights and responsibilities as members of American society, but their situations are complicated by legal rules and political pressures.

What are the rights of citizens and non-citizens? The modules for this standard explore that question by outlining specific rights and responsibilities, examining the internment of Japanese Americans during World War II, and considering whether Fred Korematsu or other individuals who fought for civil rights and civil liberties should have a national day of recognition.

**Modules for this Standard Include:**

1. **INVESTIGATE:** The Rights of Citizens and Non-Citizens
2. **UNCOVER:** The Internment of Japanese Americans During World War II
3. **ENGAGE:** Should Fred Korematsu and Other Individuals Who Fought for Civil Rights and Civil Liberties Have a National Day of Recognition?

**1. INVESTIGATE: The Rights of Citizens and Non-Citizens**

93% of the people living in the United States are citizens; 7% are non-citizens (Kaiser Family Foundation, 2020). One recent estimate puts the number of non-citizens at 22.6 million (CAP Immigration Team & Nicolson, 2017).

The rights of individuals under the Constitution apply to citizens and non-citizens alike.

<table>
<thead>
<tr>
<th>Rights Incorporated by the Supreme Court</th>
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<tbody>
<tr>
<td>1940 - Cantwell v. Connecticut Freedom to exercise religion</td>
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<tr>
<td>1963 - Gideon v. Wainwright Right to assistance of counsel</td>
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Non-citizens, no matter what their immigration status, generally have the same rights as citizens when law enforcement officers stop, question, arrest, or search them or their homes. Since the Constitution uses the term “people” or “person” rather than “citizen,” many of the “basic rights, such
as the freedom of religion and speech, the right to due process and equal protection under the law apply to citizens and noncitizens. How those rights play out in practice is more complex" (Frazee, 2018, para. 6-7).

Suggested Media Literacy Activities

- **Discussion:**
  - Can you think of examples of representations of immigrants in TV series or film (e.g. characters from *Fresh off the Boat* and *Master of None*, *Gloria from Modern Family)*? Do you think there’s enough representation of immigrants in the media? How are immigrants represented in popular culture? Do you think these representations are accurate or stereotypical? What does media representation mean for immigrants themselves?

- **Activity**
  - A Letter of Praise or Protest: Persuasive Writing
    - Please pick one TV program, film, news article, or other media content that includes representation of immigrants, and decide whether you’d like to PRAISE it or PROTEST it.
    - Look up the producer of the content and you can write them a letter.
    - If you like the way immigrants are portrayed in what you chose, you would explain why and express your appreciation.
    - If you do not like the way immigrants are portrayed in what you chose, you would explain why and express your lack of appreciation. You can also make suggestions for change/improvement.

- **Additional Resources**
  - TV and Film Have Mixed Portrayals of Immigrants
  - Citizenship Rights and Responsibilities
  - Constitutional Rights of Non-Citizens

Suggested Learning Activities

- **Design an Infographic**
  - Create an infographic which compares and contrasts citizen and non-citizen rights*
    - [Legal Rights of Undocumented Immigrants](https://kqed.org), *KQED Learning*
    - [Know Your Rights When Encountering Law Enforcement](https://www.american.constitutionproject.org), American Civil Liberties Union

*This activity is designed to demonstrate what rights Americans are guaranteed as citizens along with the reality that these rights are not universal for all people (even legal immigrants to the country). It intended as a way for students to think critically and creatively about what rights all people should have. It is based on a learning plan developed by University of Massachusetts Amherst teaching interns Conor Morrissey and Connor Frechette-McCall in Fall 2019.
Online Resources for the Rights of Citizens and Non-citizens

- **Becoming American: Exploring Names and Identities**, *Facing History and Ourselves*
- **Rights of Non-Citizens under the Equal Protection Clause**, from *Exploring Constitutional Conflicts*
- **Incorporation**, Bill of Rights Institute.
  - The Supreme Court has incorporated the numerous rights from the Bill of Rights against actions by the government.

2. UNCOVER: Internment of Japanese Americans during World War II

Following the December 7, 1941 Japanese attack on Pearl Harbor, President Franklin D. Roosevelt issued **Executive Order 9066** which mandated moving 120,000 Japanese-Americans from their homes to one of 10 internment camps in the western part of the United States. Most of the people relocated were U.S. citizens or legal permanent resident aliens.
The internment camps, officially called “relocation centers,” were located in California, Idaho, Utah, Arizona, Wyoming, Colorado, and Arkansas. Over 50% of those interned were children. To learn about the camps, view Building History 3.0: An Interactive Explorations of the Japanese American Incarceration in Minecraft.

Constitutional safeguards given to United States citizens were ignored or bypassed in the name of national defense. People were detained for up to four years, without due process of law or any factual basis, and forced to live in remote camps behind barbed wire and under the surveillance of armed guards.

Actor George Takei, of Star Trek, and his family were imprisoned in Rowher, Arkansas, as documented in his autobiography To The Stars (1995). Takei and three co-writers have since collaborated on They Called Us Enemy, a graphic memoir about his experiences in the camp (2019).

In 1944, two years after signing Executive Order 9066, President Roosevelt revoked the order. The last internment camp was closed by the end of 1945. There was no official apology from the United States government until passage of The Civil Liberties Act of 1988. In 1991, President George H. W. Bush wrote a letter of apology to each surviving internment camp member who also received a $20,000 check from the government (Letter from President George Bush to Japanese Internees).

Largely forgotten today were the experiences of Japanese-American soldiers who fought for the United States in western Europe. Many of these soldiers were Nisei (American-born children of Japanese immigrants), and former members of the Hawaii National Guard. They experienced the contradiction of fighting to liberate Europe and close down German concentration camps while other Japanese-Americans were interned in camps at home. Learn more about the hidden history of Japanese-American Soldiers in World War II from the website Re-Imagining Migration.
Japanese-American infantrymen of the 442nd Regimental Combat Team hike up a muddy French road in the Chambois Sector, France, in late 1944. "442 regimental combat team" | Public Domain
Suggested Learning Activities

- **Analyze Primary Sources**
  - Was Roosevelt's executive order driven by anti-Japanese racism among politicians and many in the general public who feared espionage or resented Asian Americans?
  - [Japanese Relocation](#) is a short video from the US government explaining the decision to create internment camps
  - [The Internment Diary of Toyojiro Suzuki](#) from the State Historical Society of North Dakota.
  - A collection of Ansel Adams' photographs showing life in a Japanese Internment camp.
  - Japanese-American woman who was forced into an internment camp at 16 recalls time in custody
  - [Brief Overview of the World War II Enemy Alien Control Program](#)

- **Analyze Multimedia Sources**
  - How did Japanese Americans respond to their internment?
    - [Children of the Camps](#) is a PBS documentary (and accompanying website) about the experiences of six Japanese-Americans who were detained as children.
    - [Densho: The Japanese American Legacy Project](#) offers multimedia materials including a slideshow and videos as well as oral histories from Japanese Americans who were imprisoned during World War II.

- **Design a "Righting a Wrong Poster" About Internment Camps**
  - As a model for this activity, see [Righting a Wrong: Japanese Americans and World War II Poster Exhibition](#) from the Smithsonian.
  - Find more information on a wiki page for [Japanese Internment in World War II](#)

- **Take a Position**
  - Should internment camps have been used on Japanese Americans, many of whom were U.S. citizens, after the attack on Pearl Harbor?
    - Write 1-2 paragraphs answering the question and cite at least 3 pieces of evidence.
      - Split the class into two groups and have one group research reasons for the use of internment camps and the other group research issues and unfair treatment that resulted from the camps.
      - Share findings and discuss whether or not the internment camps should have been used after hearing both sides.
    - What alternatives could the U.S. government have used instead of internment camps?

- **State Your View**
  - Should constitutional safeguards given to United States citizens be ignored or bypassed in the name of national defense?

**Online Resources for Japanese Internment**

- Lesson plan on [Japanese Internment from Library of Congress](#)
Lesson Plans from the Manzanar National Historic Site focus on the experiences at one of the primary internment camps.

A More Perfect Union: Japanese Americans & the U.S. Constitution from the Smithsonian Museum of American History that uses images, music and text to explore the experience of citizens placed in detention camps during World War II.

Two important legal cases were brought against the United States concerning Japanese internment:
- Hirabayashi v. United States (1943)
- Korematsu v. United States (1944)

3. ENGAGE: Should Individuals Who Fought for Civil Rights and Civil Liberties Have a National Day of Recognition?

In 1942, a 23-year-old Japanese American named Fred Korematsu refused an order to move to one of the government’s wartime internment camps. He was arrested, convicted, and jailed for his actions. Along with two other resistors, he appealed his case to the Supreme Court which upheld his conviction. That conviction was eventually overturned in 1983.

To honor his fight for civil rights and civil liberties, Fred Korematsu Day was enacted in California in 2010. It was the first state-wide day in the United States to be named after an Asian American. Hawaii, Virginia, and Florida have since passed laws honoring Fred Korematsu to perpetuity. Learn more at It’s Fred Korematsu Day: Celebrating a Foe of U.S. Internment Camps, and Honoring a Japanese-American Who Fought Against Internment Camps.

Deciding to honor someone for their historical efforts has large political implications in the United
States today. Despite its racist history, there are states and communities that continue to celebrate the Confederacy and Confederate war heroes with days of recognition (Southern Poverty Law Center, 2019). At the same time, there are individuals and groups who fought for civil rights and civil liberties but who remain neglected or omitted from history books and state-level history curriculum frameworks.

**Students can be effective advocates for honoring those who fought for civil rights and civil liberties.** In the early 1980s, students from Oakland Tech High School class of 1981 - "The Apollos" - engaged in a four-year campaign to get the state of California to establish a day honoring Dr. Martin Luther King, Jr. Their efforts were successful when California became the fourth state to have a MLK Day (the national holiday was established in 1986). In 2019, students at the school wrote and performed a play about the efforts of the Apollos (California High School Students Who Lobbied for State MLK Holiday Honored in Oakland Tech Play).

**Suggested Learning Activities**

- **Present Your Analysis**
  - Why has the U.S. failed to fully recognize individuals like Fred Koremsatsu who stood up for American ideals?

- **Nominate an Individual for a State or National Day of Recognition**
  - Who would you nominate for a State or National Day of Recognition for efforts to achieve civil rights and civil liberties? Select an individual and write a persuasive essay (or design a video) to send to a local or national elected official.
    - Here are two examples:
      - **Mary McLeod Bethune**, a member of the FDR's Black Cabinet, was the director of the Office of Minority Affairs in the National Youth Administration during the New Deal era in U.S. history. The Black Cabinet was a group of 45 African Americans who held positions in cabinet offices or New Deal agencies. Learn more at the National Women's History Museum website - [Mary McLeod Bethune - Overview and Background (1875-1955)](https://www.nwhm.org/19th-century-women/mary-mcleod-bethune-1875-1955).
      - **Bessie Coleman** (1892-1926), the daughter of a poor, southern, African American and Native American family, became one of the most famous women in aviation history. There is more information at [Bessie Coleman from The History Chicks podcast site](https://www.historychicks.com/resources/bessie-coleman-african-american-aviator-and-civil-rights-pioneer) and a historical biography page on the [resources for history teachers wiki](https): Bessie Coleman, African American Aviator and Civil Rights Pioneer.

**Standard 4.2 Conclusion**

In the United States, every citizen has rights and responsibilities as a member of a democratic society. Non-citizens have rights too, although they differ from those of citizens. **INVESTIGATE** explored the specific rights of citizens and non-citizens. **UNCOVER** focused on the suspension of citizenship rights during the internment of Japanese Americans during World War II. **ENGAGE** asked whether days of recognition should be given to Fred Korematsu or other women and men who fought to establish and preserve civil rights and civil liberties throughout American history.
Building Democracy for All

https://edtechbooks.org/democracy

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